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Docket No.: 434-047 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
:
Chatterjee et al. :
:
Serial No. 08/372,676 : Group Art Unit: 1806
:
Filed: January 17, 1995 : Examiner: Reeves, J.
:
For: ANTI-IDIOTYPE MONOCLONAL ANTIBODY 1A7 AND USE FOR THE TREATMENT OF MELANOMA AND SMALL CELL CARCINOMA

SUPPLEMENTAL RESPONSE UNDER 37 CFR § 1.111

Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

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Sir:

This Supplemental Amendment clarified certain remarks made in an Amendment filed by the Applicants under 37 CFR § 1.111 on November 8, 1995.

In replying to the Examiner's rejection of claims 1-3 under 35 USC § 102(b) over an abstract by Chatterjee et al., the amendment states: "[T]he 1A1-1A7 antibody disclosed in the abstract is not identical to the 1A7 antibody proposed in the Patent Application" (amendment, page 10, ¶ 2, emphasis in original). This statement is meant to refer to a *preparation* of antibodies obtained from the 1A1-1A7 cell line, which is contrasted with a *preparation* of antibodies from the cell line deposited with the ATCC in support of the present application.

The amendment goes on to relate that limiting dilution cloning was performed following the publication of the abstract. The

cultured hybridoma line described in the abstract had been obtained by a single round of dilution cloning. It was therefore possible that the 1A1-1A7 cell line comprised contaminating cells. If the contaminating cells were immunoglobulin-producing cells, then any 1A7 preparation from the cells could comprise immunoglobulin from the contaminating cells.

The 1A7-producing hybridoma line was re-cloned by two rounds of limiting dilution before being deposited with the ATCC in support of the present application. As a result, the clonality of the cell line (and hence the stability of the line) may have been improved, and the ability to obtain a preparation of 1A7 or higher purity may have been enhanced.

However, the recloning of the cell line is not expected to have affected the 1A7 producing cells comprised in the hybridoma cells described in the abstract.

Favorable consideration of the Supplemental Amendment is requested prior to the January 25, 1996, interview date.

Respectfully submitted,

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